IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2776 of 2005

Between:

T.Narsaiah, S/o.Chandraiah,
R/o.Mustabad, Karimnagar District.

..... PETITIONER

AND

1. Govt. of A.P.rep.by its Principal Secretary, Social Welfare

Department (CV.2) Secretarait, Hyderabad.
2 The Collector and District. Magistrate, Karimnagar District.

Karimnagar.
3 The Mandal Revenue officer, Mustabad Mandal,

Karimnagar District.
4 The Joint Collector and Chairman, District Level Scrutiny

Committee, Karimnagar District.
5 The Director of Tribunal Welfare, Govt. of A.P., Hyderabad.
6 The Additional Director General of police (CID), Govt. of

A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other appropriate writ, order or direction declaring the proceedings dt.4-2-2005 in memo No.240/CV/2/2005-1 on the file of the 1st respondent as being illegal and arbitrary and further directing the 1st respondent to dispose of the Appeal filed by the petitioner and pending the appeal suspend the operation of the order dt.5-11-2004 issued in proceedings No.C4/6823/77 dt.5-11-

2004 on the file of the 2nd respondent.

Counsel for the Petitioner:MR.K.RAGHUVEER REDDY

Counsel for the Respondent Nos.1 and 5: GP FOR SOCIAL WELFARE

Counsel for the Respondent Nos.2, 3 4 and 6: GP FOR REVENUE

The Court at the admission stage made the following O R D E R:

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

Admittedly, the petitioner preferred an appeal to the first respondent and the same is pending consideration. Through impugned proceedings dated 04.02.2005, the first respondent rejected the application of the petitioner for grant of stay. Hence this writ petition.

The petitioner cannot be permitted to prosecute two parallel remedies in respect of the same proceedings. Therefore, without going into merits of the case, I feel it appropriate to dispose of the writ petition directing the first respondent to dispose of the appeal filed by the petitioner within a period of two months from the date of receipt of a copy of this order. Till then, there shall be stay of prosecution.

The writ petition is accordingly disposed of. No costs.

17.02.2005

usd

To

1. The Principal Secretary, Govt. of A.P. Social Welfare

Department (CV.2) Secretarait, Hyderabad.

2 The Collector and District, Magistrate, Karimnagar District.

Karimnagar.

3 The Mandal Revenue officer, Mustabad Mandal,

Karimnagar District.

4 The Joint Collector and Chairman, District Level Scrutiny

Committee, Karimnagar District.

5 The Director of Tribunal Welfare, Govt. of A.P., Hyderabad.

6 The Additional Director General of police (CID), Govt. of

A.P., Hyderabad.

7. Two CCs to G.P. for Social Welfare, High Court of A.P.,

Hyderabad (OUT)

8. Two CCs to G.P. for Revenue, High Court of A.P.,

Hyderabad (OUT)

9. Two CD copies.